IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1116 OF 2007
IN
CRIMINAL APPEAL NO.949 OF 2007

Prakash Vinayak Yeragi. ..Applicant.
(Orig.Accused No.2)

Versus

The State of Maharashtra. ..Respondent.

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Mr.P.D.Dalvi, Adv. for the Applicant.
Mrs.A.S.Pai, APP, for the State.

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CORAM : S.B.MHASE AND
SMT.V.K.TAHILRAMANI,JJ.

DATED : 20TH NOVEMBER, 2007.

P.C.:-

1. Heard both sides.

2. This is a bail application by orig.accused No.2 who has been convicted under Section 302 read with Section 34 of Indian Penal Code and sentenced to suffer R.I. for life and to pay fine of Rs.5,000/- in default to undergo imprisonment for further period of five months.

3. The applicant was on bail during the trial. In

order to show the complicity of the applicant, the prosecution has brought on record evidence that the applicant gave a kick-blow to motorcycle. Except this evidence, *prima facie*, there is no evidence of involvement of the applicant. This persuades us to grant bail to the applicant during pendency of the Appeal.

4. The applicant-Prakash Vinayak Yeragi be released on bail in the sum of Rs.10,000/- (Rs.Ten Thousand Only) with like surety and P.R. bond.

5. Application is disposed of accordingly.

[SMT.V.K.TAHILRAMANI,J.] **[S.B.MHASE,J.]**